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May 12, 2021

The Honorable Judge Dennis Montali,

As a 2018 Camp Fire victim who lost his home, his possessions, his family history, his neighborhood, his town, and his family and social support, this correspondence brings to your attention how disturbed and angered I am about how the Fire Victim's Trust (FVT) claims process and funds are being administered. Each administrative dollar spent by the Trust is a dollar taken out of the pockets of fire victims. The recent FVT report sent to you highlights the travesty of justice to fire victims.

The lawyers and entities representing Pacific Gas and Electric, the bond holders, the Official Committee of Tort Claimants, and Wall Street in the bankruptcy proceedings have received their compensation. Yet only a minuscule number of fire victims have received pro rata compensation for their losses. Stating that fire victims are languishing is an understatement.

After ten months of operation, the FVT claims process has been traveling slower than a snail's pace. On April 30, 2021, the Trust reported during a ten-month period they had only made 334 pro rata payments to fire victims out of 70,280 claims. Based on five determinations our legal representation has received, these determinations have been arbitrary and unfair. I have researched the FVT website ([www.firevictimtrust.com](http://www.firevictimtrust.com)) but have not found a section for their policy and procedures for administering the fire victim's money. Where is the transparency of how decisions are fairly and uniformly being made for determining the resolution of each claim? The fire victims do not even know if the claims administrators are applying the same standards to all cases.

The administrative expenditures are exorbitant and out of control. As noted in KQED Lily Jamali's investigative report<sup>i</sup>, the Trust expended \$51.5 million in overhead costs while only disbursing \$7.2 million in preliminary payments through the end of 2020. All this money went to administrative expenses while some Camp Fire victims are still living in cars, travel trailers, and FEMA trailers. It does not get any better.

The FVT reported on April 30, 2021 there had only been 334 pro rata payments made to fire victims out of 70,280 claimants in ten months. The report states the pro rata amount distributed was \$72.6 million. The report fails to disclose the administrative costs through April 2021 but based on my estimations, the FVT would have expended approximately \$34.3 million. The estimated total FVT administrative cost over the ten-month period would be \$85.8 million. Incomprehensibly, during this same ten-month period, the distribution of money to fire victims is \$79.8 million. Is this a foreshadowing of what is to come? More going to the FVT than the fire victims themselves?

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The FVT lacks transparency and accountability. The FVT has not published an annual budget reflecting the number of personnel nor the cost of salaries, benefits, supplies, equipment, contractual/consultant services, or other line items for their total expenditures. On April 12, 2021, the Honorable Justice Trotter provided a letter to fire victims<sup>ii</sup>. Justice Trotter stated BrownGreer would be increasing the number of managers overseeing the claims process. Really? Add more bureaucracy to an already expensive, unaccountable, and nontransparent bureaucratic process?

The letter stated there were approximately 300 BrownGreer staff members who have been contractually hired to administer the FVT process. Only 130 of these staff members are dedicated to reviewing claims. What are the other 170 staff members doing on the fire victims' dime? It is time for the Claims Administrator of the FVT to disclose all policies, procedures, personnel allocations, fiscal reports among other information such as who authorizes the different expenditures for the FVT.

The Fire Victim Trust Oversight Committee (FVTOC) was established on behalf of fire victims. Their role, though limited, was to maintain accountability of the fire victim's money and ensure abuses did not occur. As noted in KQED Lily Jamali's investigative report, one FVTOC member was not concerned about the exorbitant overhead. The article quoted the member as stating, "When you're talking about what they have to do, I certainly think the money is reasonable," he said. "The amounts they make are phenomenal. They're just incredible amounts," he said. "But that's what people at their level make." This is genuinely concerning don't you think?

Lastly, I request you speed up the process in a sprint like manner and direct the FVT to provide transparency and accountability in the administration of the fire victims money. During a hearing in April 2020, as reported by KQED, you were concerned about a very large amount of money being paid out for FVT administrative costs without any kind of control over what happens. It was allowed to happen, but now the opportunity to do the right thing is at hand. On behalf of all fire victims, I am asking for you to intercede and direct the FVT to be fiscally accountable and transparent by providing all documents requested by fire victims and the media. It is time to stop fire victims from the continued maltreatment by the criminal negligence of the many times over felon Pacific Gas and Electric.



<sup>i</sup> <https://www.kqed.org/news/11872328/survivors-stuck-in-limbo-as-pge-fire-victim-trust-pays-out-50-million-in-fees>

<sup>ii</sup> [https://www.firevictimtrust.com/Docs/Letter\\_from\\_the\\_Trustee\\_\(4-12-21\).pdf](https://www.firevictimtrust.com/Docs/Letter_from_the_Trustee_(4-12-21).pdf)